



# City of San Antonio

## Legislation Details (With Text)

**File #:** 18-6536

**Type:** Zoning Case

**In control:** Zoning Commission

**On agenda:** 12/4/2018

**Title:** ZONING CASE # Z-2018-900036 (Council District 1): A request for a change in zoning from "C-3NA RIO-2 AHOD" General Commercial Nonalcoholic Sales River Improvement Overlay Airport Hazard Overlay District to "IDZ RIO-2 AHOD" Infill Development Zone River Improvement Overlay Airport Hazard Overlay District with uses permitted in "C-2" Commercial District and "MF-50" Multi-Family District on Lot 1 and Lot 2, Block 17, NCB 974, located at 216 and 218 E Josephine Street. Staff recommends Approval.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Location Map, 2. Site Plan

Date	Ver.	Action By	Action	Result
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**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** 1

**SUBJECT:**  
Zoning Case Z-2018-900036

**SUMMARY:**  
**Current Zoning:** from "C-3NA RIO-2 AHOD" General Commercial Nonalcoholic Sales River Improvement Overlay Airport Hazard Overlay District

**Requested Zoning:** "IDZ RIO-2 AHOD" Infill Development Zone River Improvement Overlay Airport Hazard Overlay District with uses permitted in "C-2" Commercial District and "MF-50" Multi-Family District

**BACKGROUND INFORMATION:**  
**Zoning Commission Hearing Date:** December 4, 2018

**Case Manager:** Dominic Silva, Planner

**Property Owner:** Noble L. Roberts

**Applicant:** Harry Halff

**Representative:** Ashley Farrimond, Kaufman & Killen, Inc.

**Location:** 216 and 218 East Josephine Street

**Legal Description:** Lot 1 & 2, Block 17, NCB 974

**Total Acreage:** 0.3099

**Notices Mailed**

**Owners of Property within 200 feet:** 7

**Registered Neighborhood Associations within 200 feet:** The Tobin Hill Community Association

**Applicable Agencies:** San Antonio ISD

**Property Details**

**Property History:** The subject property was rezoned from “J” Commercial District to “B-3NA” Business District Nonalcoholic Sales by Ordinance 83331, dated December 14, 1995. Upon the adoption of the 2001 Unified Development Code, the previous “B-3NA” converted to the current “C-3NA” General Commercial Nonalcoholic Sales.

**Topography:** The subject property is not located within the 100-year flood plain.

**Adjacent Base Zoning and Land Uses**

**Direction:** North

**Current Base Zoning:** “I-1”

**Current Land Uses:** Laboratory

**Direction:** East

**Current Base Zoning:** “IDZ”

**Current Land Uses:** Condo

**Direction:** South

**Current Base Zoning:** “C-3NA”

**Current Land Uses:** Laboratory

**Direction:** West

**Current Base Zoning:** “C-3NA”

**Current Land Uses:** Parking Lot

**Overlay and Special District Information:**

"AHOD"

All surrounding properties carry the "AHOD" Airport Hazard Overlay District, due to their proximity to an airport or approach path. The "AHOD" does not restrict permitted uses, but can require additional review of construction plans by both the Development Services Department and the Federal Aviation Administration.

“RIO-2”

All surrounding properties carry the "RIO" River Overlay District, due to their proximity to the San Antonio River. The purpose of these districts is to establish regulations to protect, preserve and enhance the San Antonio River and its improvements by establishing design standards and guidelines.

**Transportation**

**Thoroughfare:** Josephine

**Existing Character:** Collector

**Proposed Changes:** None Known

**Public Transit:** VIA bus routes are within walking distance of the subject property.

Routes Served: 20 and 11

**Traffic Impact:** A Traffic Impact Analysis (TIA) is not required. IDZ is exempt from all TIA requirements.

**Parking Information:**

The minimum number of parking spaces for a dental office is 1.5 spaces per unit

**ISSUE:**

None.

**ALTERNATIVES:**

Denial of the requested zoning change would result in the subject property retaining the present zoning district designation of "C-3NA". "C-3NA" districts are designed to provide for more intensive commercial uses than those located within the "NC," "C-1," "C-2" or "C-3" zoning districts. "C-3" uses are typically characterized as community and regional shopping centers, power centers and/or assembly of similar uses into a single complex under either single ownership or the structure of a property owners or condominium styled organization. "C-3" districts should incorporate shared internal circulation and limited curb cuts to arterial streets

**FISCAL IMPACT:**

None.

**Proximity to Regional Center/Premium Transit Corridor**

The property is located within the Midtown Regional Center and half a mile of Premium Transit Corridor.

**RECOMMENDATION:**

**Staff Analysis and Recommendation:** Staff recommends Approval.

**Criteria for Review:** According to Section 35-421, zoning amendments shall be based on the approval criteria below.

**1. Consistency:**

The subject property is located within the Tobin Hill Plan and is currently designated as "Mixed Use" in the future land use component of the plan. The requested "IDZ" base zoning is compatible with the future land use designation and is consistent with the surrounding properties.

**2. Adverse Impacts on Neighboring Lands:**

Staff finds no evidence of likely adverse impacts on neighboring lands in relation to this zoning change request.

**3. Suitability as Presently Zoned:**

The current "C-3NA" General Commercial Nonalcoholic Sales is an appropriate zoning for the property and surrounding area.

**4. Health, Safety and Welfare:**

Staff has not found indication of likely adverse effects on the public health, safety, or welfare.

**5. Public Policy:**

The proposed rezoning does not appear to conflict with the following goals, principles, and objectives of the Tobin Hill Plan.

**Tobin Hill Plan Relevant Goals and Objectives:**

- **Housing and Neighborhoods:** Create a neighborhood in which there is effective communication, cooperation, and relationships among the residents, business owners, and organizations. Improve the quality, appearance, and variety of existing and new housing for all ages while increasing home ownership and investment in the area. Ensure neighborhood compliance with basic City codes and work toward the beautification of private and public spaces.
- **Economic Development:** Support existing businesses in the neighborhood and create and provide opportunities for future businesses. Promote development that is compatible with existing development and encourage design that takes into account the existing character and scale of the neighborhood.

**6. Size of Tract:**

The subject property is 0.3099, which would adequately support infill development zone/multi-family.

**7. Other Factors:**

The subject property is located within the Fort Sam Houston Awareness Zone/Military Influence Area. In accordance with the signed Memorandum of Understanding, JBSA was notified of the proposed request.

Infill Development Zone (IDZ) provides flexible standards for developments. IDZ is to encourage and facilitate development on vacant, bypassed lands, or the redevelopment of underutilized buildings or structures, within existing built-up areas. IDZ may be approved as either a base zoning district or an overlay zoning district. Standards required in an IDZ district shall apply to either IDZ base zoning or the IDZ overlay district except where otherwise specifically stated. Typically IDZ gives flexibility to parking requirements, lots sizes, and setbacks.

- The applicant's request meets the Master Plan's Policy for Growth Management - Policy 1g, because it makes physical improvements on an inner city property encouraging redevelopment and infill development.
- The applicant's request meets the Master Plan's Policy for Economic Development - Goal 4, because it targets an area within Loop 410 and the southern sector.
- The applicant's request the Master Plan's Policy for Neighborhoods - Policy 1a, because it rezones vacant or underutilized property in and around neighborhoods to encourage redevelopment that is compatible in use and intensity with the existing neighborhood.
- The applicant's request the Master Plan's Policy for Neighborhoods - Policy 2b, because it creates mixed-use districts.
- The applicant's request the Master Plan's Policy for Urban Design - Policy 1c, because it develops zoning that allows mixed-use development (i.e. residential and commercial) to be placed in the same building.
- The applicant's request the Master Plan's Policy for Urban Design - Policy 4b, because it incentivizes property to encourage development in underutilized urban areas.